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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,359	02/27/2002	Masahiro Kageyama	H-1038	9183
<div>7590 05/15/2008 Mattingly, Stanger & Malur, P.C. Suite 370 1800 Diagonal Road Alexandria, VA 22314</div>				
<div>EXAMINER VAN BRAMER, JOHN W</div>				
<div>ART UNIT 3622</div>		<div>PAPER NUMBER</div>		
<div>MAIL DATE 05/15/2008</div>		<div>DELIVERY MODE PAPER</div>		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/083,359

Applicant(s)

KAGEYAMA ET AL.

Examiner

John Van Bramer

Art Unit

3622

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 15, 2008 has been entered.

Response to Amendment

2. The amendment filed on February 15, 2008, cancelled no claims. No new claims were added and Claims 1, 4, and 5 were amended. Thus the currently pending claims remain claims 1-8.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Kitsukawa et al. (U.S. Patent Number: 6,282,713)

Claim 1: Kitsukawa discloses an information linking method in which:

- a. Receiving, by a first terminal device, first content of interest including a video image, which is broadcasted from a broadcaster. (Col 3, lines 61-66; Col 5, lines 29-55; and Col 6, line 19 through Col 7, line 21)
- b. Sending, by the first terminal device, first information to identify said first content, first target area selected to define a part or all of an object from said first content, and messages to a server equipment across a computer network, wherein said first target area is selected and messages are input by a user of said first terminal with a manipulator of said first terminal. (Col 6, line 19 through Col 7, line 21; Col 7, lines 22-40; Col 11, line 62 through Col 12, line 32)
- c. Receiving, by the server equipment, said first information to identify said first content, said first target area selected, and said messages. (Col 5, lines 25-55, Col 11, line 62 through Col 12, line 32)
- d. Generating, by the server equipment information related to the object from the content from a part or all of said messages received. (Col 8, lines 17-57, Col 11, line 62 through Col 12, line 32)
- e. Interlinking and registering, by the server equipment, said first information to identify said first content, said first target area selected, and the information

related to the object from the first content into a database after broadcasting said first content. (Col 8, lines 17-57, Col 11, line 62 through Col 12, line 32)

- f. Wherein a path across which said first terminal receives said information related to said object from the content is different from a path across which said first terminal receives said first content. (Col 6, line 19 through Col 7, line 21, Col 11, line 62 through Col 12, line 32)

Claim 2: Kitsukawa discloses an information linking method as recited in claim 1 wherein:

- a. Said server makes up a group of two or more terminal devices including said first terminal device and a second terminal device and sends said messages received to one or more terminal devices including said second terminal device, belonging to said group, across the computer network. (Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)
- b. Said second terminal device receives and outputs said messages. (Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)

Claim 3: Kitsukawa discloses an information linking method as recited in claim 1 wherein:

- a. Said server registers advertising keywords and advertising information specified or requested by an advertiser into the database, determines whether said

advertising keywords are linked with said information related to the object from the content, sends said advertising information to terminal devices across the computer network when it has been determined that at least one of said advertising keywords is linked with said information related to the object from the content. (Col 5, lines 25-55; and Col 8, lines 17-57)

- b. Terminal devices receive and output the advertising information. (Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)

Claim 4: Kitsukawa discloses a terminal device comprising:

- a. An input unit that inputs content of interest including a video image which is broadcasted from a broadcaster. (Col 3, lines 61-66; Col 5, lines 29-55; and Col 6, line 19 through Col 7, line 21)
- b. A manipulator that obtains as input a target area selected and messages. (Col 6, line 19 through Col 7, line 21; Col 7, lines 22-40; Col 11, line 62 through Col 12, line 32)
- c. A network interface that transmits information for identifying the content (Col 6, line 19 through Col 7, line 21), said target area selected (Col 8, lines 17-57), and the messages to a server equipment across a computer network (Col 8, lines 17-57; Col 11, line 62 through Col 12, line 32; and Col 13, lines 10-31), and that receives information related to an object from the content, which is generated by the server equipment from a part of all of the messages, across the computer network. (Col 11, line 62 through Col 12, line 32; and Col 13, lines 10-31)

- d. A display that displays said content of interest on which the object is identifiable within said target area selected and the information related to the object, wherein the object and the information are interlinked after the broadcasting of the content. (Col 11, line 62 through Col 12, line 32; and Col 13, lines 10-31)
- e. Wherein a path across which said network interface receives said information related to said object from the content is different from a path across which said input unit inputs content. (Col 6, line 19 through Col 7, line 21, Col 11, line 62 through Col 12, line 32)

Claim 5: Kitsukawa discloses a server equipment comprising:

- a. Means for receiving first information to identify content of interest, including a video image, said content is broadcasted from a broadcaster to a first terminal device, first target area selected, and messages transmitted from a first terminal device across a computer network, (Col 3, lines 61-66; Col 5, lines 29-55; and Col 6, line 19 through Col 7, line 21)
- b. Wherein said content is broadcasted from a broadcaster to the first terminal, and said broadcasting path is a different path from said server equipment to the first terminal device, and wherein said first target area is selected and messages input by a user of said first terminal with a manipulator of said first terminal. (Col 6, line 19 through Col 7, line 21, Col 11, line 62 through Col 12, line 32)

- c. Means for generating information related to an object from the content from a part or all of the messages. (Col 6, line 19 through Col 7, line 21, Col 8, lines 17-57, and Col 11, line 62 through Col 12, line 32)
- d. Means for interlinking and storing said first information to identify content of interest, said first target area selected, said messages, and said information related to an object from the content into a database. (Col 8, lines 17-57, Col 11, line 62 through Col 12, line 32)
- e. Means for receiving and storing a set of second information to identify content of interest and second target area selected, transmitted from a second terminal device across the computer network, into the database. (Col 5, lines 29-55; and Col 6, line 19 through Col 7, line 21)
- f. Means for matching said first and second information to identify content of interest and said first and second target areas selected. (Col 11, line 62 through Col 12, line 32; and Col 13, lines 10-31)
- g. Means for sending said messages and/or said information related to an object from the content to said second terminal device across the computer network if matching for both couples is verified as the result of the matching. (Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)

Claim 6: Kitsukawa discloses a server equipment as recited in claim 5 further comprising:

- a. Means for registering advertising keywords and advertising information specified or requested by an advertiser into a database. (Col 5, lines 29-55; and Col 8, lines 17-57)
- b. Means for determining whether said advertising keywords are linked with said information related to an object from the content. (Col 8, lines 17-57; and Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)
- c. Means for sending said advertising information to said first or second terminal device across the computer network when it has been determined that at least one of said advertising keywords is linked with said information related to an object from the content. (Col 8, lines 17-57; and Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)

Claim 7: Kitsukawa discloses a server equipment as recited in claim 6 further comprising marketing information analysis means for generating marketing information, based on statistics obtained from any of said first information to identify content of interest, said first target area selected, said messages, said information related to an object from the content, said second information to identify content of interest, said second target area selected, and said advertising keywords, or any combination of a plurality of items thereof. (Col 11, line 62 through Col 12, line 20)

Claim 8: Kitsukawa discloses a server equipment as recited in claim 7, wherein said advertising keywords include nouns including, at least, the name of an article of

trade, and the name of one of various types of utensils, the name of a person, the name of an institution, and the name of a district such as a city; proper nouns; verbs that express an act, occurrence, or mode of being; adjectives; pronouns; and combinations thereof, i.e., compounds, phrases, and sentences.(Col 8, line 37- Col 9, line 23)

Response to Arguments

5. Applicant's arguments filed August 22, 2007, have been fully considered but they are not persuasive.
 - a. The applicant argues that Kitsukawa does not teach or suggest an information linking method, terminal device or server equipment as recited by claims 1,4, and 5. However Kitsukawa discloses receiving advertising information linked to a television program, a user selecting the type of advertising information that they wish to view on a terminal device that is receiving a television broadcast, providing an electronic link which allows the viewer to access additional information wherein the electronic link includes access to various servers over the internet and access to a central collection center, and linking the ability of a customer to receive the various discounts with the requirement that the customer watch a specific program or combination of programs (Col 5, lines 29-55; Col 6, line 19 through Col 7, line 40; and Col 11, line 62 through Col 12, line 32). In order to enforce the conditional offer with such a requirement the advertisement, the television program, and the redemption of said advertisement must be linked and registered as required by the current claim limitations. Additionally, the

applicant asserts that the advertisements of Kitsukawa are received along with broadcasts of associated television programs. While the examiner agrees that Kitsukawa discloses such a feature, Kitsukawa also discloses that the advertisements can be sent prior to a broadcast and inclusion of the advertisement is based upon timing data that links the advertisement to the broadcast (Col 6, lines 54-64). Thus the Kitsukawa reference discloses the information linking, terminal device and server equipment required by the limitations of the claims as currently amended.

- b. The applicant argues that Kitsukawa fails to teach or suggest the server equipment registering a target area selected by a user of the terminal with a manipulator of the terminal and messages input by the user with the manipulator of the terminal. However, Kitsukawa discloses a user interacting with a terminal containing a graphical user interface via an input device. The user can select the item for which they would like additional information by interacting with a target area. This request for information is sent to an internet site for displaying said additional information (Col 5, lines 29-55; Col 6, line 19 through Col 7, line 40; and Col 11, line 62 through Col 12, line 32). Thus, Kitsukawa teaches the limitations of the claims as currently written.
- c. The applicant argues that Kitsukawa does not teach or disclose a path across which the first terminal receives the information related to the object from the content is different from a path across which the first terminal receives the first content. However, Kitsukawa discloses that the first content is sent across a

broadcast path and the information related to the object can be received across a different path such as the internet (Col 5, lines 29-55; Col 6, line 19 through Col 7, line 40; and Col 11, line 62 through Col 12, line 32).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 6am - 4pm Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

J.V.

/J. V./

Examiner, Art Unit 3622

/Eric W. Stamber/

Supervisory Patent Examiner, Art Unit 3622